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Counsel of record are directed
to promptly commence good faith
settlement discussions and
to file a status report by
May 22, 2013.

April 24, 2013

Via ECF

Hon. Roanne L. Mann U.S.M.J.
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

SO ORDERED:

/s/

*Roanne L. Mann
U.S. Magistrate Judge*
Dated: 4/25/13

Re: Juan Flores et al. v. 514 Fioto Property Corp., et al
Index No.: 12-CIV-5581(DLI)(RLM)

Your Honor:

Please accept this letter as the status report required pursuant to minute order of April 18, 2013. As directed, on Monday, April 22, 2013, Mr. Koutsoudakis provided me with the names of 5 employees who allegedly wish to discontinue the action, but are continuing to pursue it only because I had purportedly told them that they would be required to pay my legal fees in such case.

Since this allegation was made, I have since spoken with each of the 5 individuals by telephone, and I told each of them that if any of them wish to drop the case, that they were perfectly free to do so with no obligation whatsoever for attorney's fees or costs. This has also been communicated to each of them in writing, in Spanish.

All 5 of them have assured me that they wish to continue with the prosecution of the case, and all 5 assured me that they have never told their employer that they wished to discontinue. One of them affirmatively commented to me in response that he would rather leave the job than drop the case. All of them told me that the employer has asked them to drop the case, some saying that Frank Fiotos wished to settle it with them without the involvement of the attorneys. None of the 5 people I spoke to wished to do this, nor did they tell their employer that they wished to do this.

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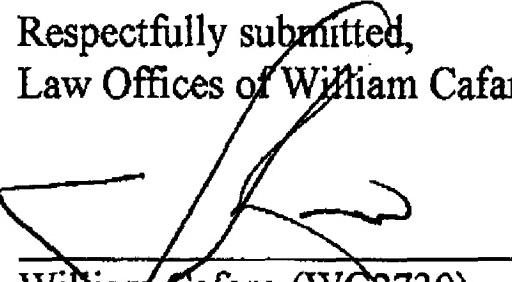
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In light of the vague nature of the allegations made, I respectfully submit that this should be sufficient to refute them, but if the Court desires me to obtain affidavits from these individuals, I will obviously do so.

Although the allegations at the conference also included acts of sabotaging food in the diner, no particulars have been provided in this regard, so I have not investigated them.

I spoke to Mr. Koutsoudakis today, and I think it would be beneficial if he and I sat down and began a settlement dialogue between ourselves before scheduling another session with the Court. While negotiation should, and certainly will go forward, I think it would be a more efficient utilization of Your Honor's time if we at least get the process up to the point where a mediation session could achieve a global resolution. After we have had an opportunity to do this, we will notify the Court.

Respectfully submitted,
Law Offices of William Cafaro


William Cafaro (WC2730)
Attorney for the Plaintiffs

cc: Andreas Koutsoudakis, Esq.